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IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

SEP 20 2023

CLERK, U.S. DISTRICT COURT  
FOR THE WESTERN DISTRICT  
OF PENNSYLVANIA

Name and address of Plaintiff:

AKIL JOHNSON GK7874  
PO BOX 8837, 2500 ISBURN RD  
CAMP HILL PA 17001

v.

Full name, title, and business address  
of each defendant in this action:MICHELLE HENRY ATORNEY/GENERAL  
15th floor Strawberry Square  
Harrisburg PA 17120MICHAEL ZAKEN - SUPERINTENDENT  
SCI Greene 169 Progress Dr  
WAYNESBURG PA 15370Use additional sheets, if necessary See Attached  
Number each defendant.

Plaintiff brings this action against the above named and identified defendants on the following cause of action:

I. Where are you now confined? SCI CAMP HILLWhat sentence are you serving? 49-98 YrsWhat court imposed the sentence? BLAIR COUNTY

II. Previous Lawsuits

A. Describe any and all lawsuits in which you are a plaintiff which deal with the same facts involved in this action. (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper, using the same outline.)

1. Parties to this previous lawsuit

Plaintiffs AKIL JOHNSONDefendants MORRIS HOUSER SUPER  
INTENDENT AT SCI B2000 TWP

2. Court (if federal court, name the district; if state court, name the county) and docket number

CENTRE COUNTY STATE CIVIL

#4

2:23-cv-1686

15BJ

## DEFENDANTS

③ Stephen BUZAK - (D.S.F.M.)

SCI Greene

169 Progress Dr

WAYNESBURG PA 15370

④ M. DI Alesandro (D.S.C.S.)

SCI Greene

169 Progress Dr

WAYNESBURG PA 15370

⑤ MAUREEN MALANOSKI - MAJOR OF UNIT MANAGEMENT

SCI Greene

169 Progress Dr

WAYNESBURG PA 15370

⑥ M. SWITZER - MAJOR OF THE GUARDS

SCI Greene

169 Progress Dr

WAYNESBURG PA 15370

⑦ C. PARKER - R.H.V. CAPTAIN

SCI Greene

169 Progress Dr

WAYNESBURG PA 15370

⑧ DANIEL COLEMAN - UNIT MANAGER OF L-BLOCK

SCI Greene

## DEFENDANTS

169 Progress Dr  
Waynesburg PA 15370

⑨ Eric Hintermyer - security CAPTAIN  
SCI Greene 169 Progress Dr  
Waynesburg PA 15370

⑩ Mandy Andretti - Grievance Coordinator  
SCI Greene 169 Progress Dr  
Waynesburg PA 15370

⑪ Zachary J. Moslak - Chief Hearing Examiner  
1920 Technology Parkway  
Mechanicsburg PA 17050

⑫ Dorina Varner - Chief Grievance Officer  
1920 Technology Parkway  
Mechanicsburg PA 17050

Each Defendant is Sued Individually  
and in his/her official capacity  
and at all times mentioned in this illegal  
confinement in the (SL5) solitary  
confinement in this illegal I.M.U.  
Program on the old Death Row Block  
with the illegal use of the G.S.I.  
which PA 37 code 93.11(b) supercedes  
Each Defendant acted under the color of state  
LAW!

AND "A.D.A." AT 42 U.S.C.  
§§ 19151-12213

- V. Did the incident of which you complain occur in an institution or place of custody in this District?  
If so, where?

Yes SCI Greene In  
Waynesburg PA  
and answer the following questions:

- A. Is there a prisoner grievance procedure in this institution?  
Yes (X) No ( )

- B. Did you present the facts relating to your complaint in the state prisoner grievance procedure?  
Yes (X) No ( )

- C. If your answer is YES,

1. What steps did you take? I FILED A GRIEVANCE  
IT GOT DENIED
2. What was the result? I APPEALED IT ALL THE  
WAY THREW TO LAST STAGE IT GOT DENIED

- D. If your answer is NO, explain why not: \_\_\_\_\_

- E. If there is no prison grievance procedure in the institution, did you complain to prison authorities?  
Yes ( ) No ( )

- F. If your answer is YES,

1. What steps did you take? \_\_\_\_\_
2. What was the result? \_\_\_\_\_

VI. Relief

State briefly exactly what you want the court to do for you. Make no legal arguments. Cite no cases or statutes.

(70) GRANTING PLAINTIFF COMPENSATORY  
DAMAGES IN THE AMOUNT  
SEE ATTACHED

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND  
CORRECT.

Court Docket no 22-2736

3. Name of judge to whom case was assigned: Jonathan D. Grine
4. Disposition (For example: Was the case dismissed? Was it appealed? Is it still pending?)  
IT WAS DISMISSED, NO APPEAL
5. Approximate date of filing lawsuit: ~~12-22~~ 12-12-22
6. Approximate date of disposition: 1-24-23

B. Prior disciplinary proceedings which deal with the same facts involved in this action:

Where? SCI BANNER TWP/SOLITARY CONFINEMENT  
 When? 6-16-22  
 Result: PLAINTIFF EXHAUSTED ALL APPEAL PROCEEDINGS AND ALL GRIEVANCE APPEALS WAS DENIED AND PLAINTIFF STATE TORT WAS DISMISSED

- III. What federal law do you claim was violated? MY DUE PROCESS 1st 4th 5th 8th 14th Amendment RIGHTS MENTAL FITNESS ACT 42 U.S.C. §§ 10801-07 (PAIMI ACT)  
"A.D.A" AT 42 U.S.C. §§ 12101-12213
- IV. Statement of Claim

(State here as briefly as possible the facts of your case. Do not give any legal arguments or cite any cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. Use as much space as you need. Attach extra sheet if necessary.)

- A. Date of event: 9-14-21
- B. Place of event: L-C PAD 2 cell
- C. Persons involved—name each person and tell what that person did to you: ALL DEFENDANTS 1012

① ALL PARTICIPATED IN DIRECTLY AND KNOWINGLY CONSPIRED WITH EACH OTHER TO VIOLATE,

② MY DUE PROCESS, 1st 4th 5th 8th 14th Amendment RIGHTS AND MENTAL FITNESS ACT 42 U.S.C. §§ 10801-07 (PAIMI ACT)

See ATTACHED

## STATEMENT OF CLAIM

④ All Defendants 2 threw 12, All conspired to falsify documentation, to illegally keep PLAINTIFF locked in solitary confinement on the old death row Block, L-Block C-POD 2 cell,

⑤ On 9-14-21 Between the Time of 1500 on LC-POD 2 cell, PLAINTIFF received a other report #D-635094 From the Defendant D. Coulzhan,

⑥ Defendant D. Coulzhan stated in this Illegal other report #D-635094 that per PRC Defendants Stephen Buzas, MAUREN MALANOSKI, MARTIN SWITZER, C. PARKER, M. DIAZ SANDRO, Eric Hintemeyer PLAINTIFF received a time cut on remaining DC Time

⑦ AND Also stated, The PLAINTIFF is in Danger From some person(s) in the Facility AND cannot be protected by alternative measures, AND/or the PLAINTIFF is in Danger to some person(s) in the Facility AND the persons cannot be protected by alternatives measure, AS A result PLAINTIFF will be assigned AC status on the I.M.U. program which is very

## STATEMENT OF CLAIM

ILLEGAL, BECAUSE ALL DEFENDANTS IS ALSO CONSPIRING WITH THIS FAKE D.O.C. POLICY,

⑧ 6.5.1. Which PA CODE 37.93.11 (b) supercedes 6.5.1. AND ALSO VIOLATING THEIR OWN D.O.C. POLICY DC-ADM 802

⑨ ALL DEFENDANTS 2 THRU 10, ON 9-14-21 BETWEEN THE TIMES OF 8:30 AM & 11:30 AM ON LC-POD IN THE P.R. C ROOM, PLAINTIFF WAS GIVEN A TIME CUT FOR ILLEGAL MISCONDUCT #D-543972, AND THEN THE PLAINTIFF WAS PLACED ON AC STATUS AND PLAINTIFF CAN PARTICIPATE IN THIS ILLEGAL IM-V. PROGRAM

⑩ DEFENDANTS 3, 4, 5, 6, 7, 8, 9, 2, ALL SIGNED THE DC-141, PART 4, ATTACHMENT 6-A AND GAVE A COPY TO THE PLAINTIFF

⑪ ON 12-23-21 PLAINTIFF APPEALED THE ILLEGAL MISCONDUCT OTHER REPORT #D-635094 TO DEFENDANT MICHAEL ZAKEN AND PLAINTIFF RECEIVED A RESPONSE FROM THE DEFENDANT ZAKEN ON 1-7-22

⑫ ON 1-13-22 PLAINTIFF APPEALED, TOO



## STATEMENT OF CLAIM

Defendant Zachary J. Moslak The Chief Hearing Examiner and Plaintiff received a response from Defendant Moslak

③ Then on 1-14-22 Plaintiff wrote a letter to George Little who is the Secretary of Corrections, George Little never responded back to the Plaintiff letter

④ Then on 3-8-22 Plaintiff seemed Defendants 3, 4, 5, 6, 7, 8, 9 in the P.R.C. room, and again Defendants 3, 4, 5, 6, 7, 8, 9 stated Plaintiff may begin this illegal I.M.U. program and Plaintiff also have a copy of the DC-141, Part 4, Attachment 6-A

⑤ On 12-21-21 Plaintiff wrote a Grievance about my illegal confinement and about being forced in the I.M.U. illegal program with no policy or dialogue and Plaintiff is not on R.R.L. and Defendant BUZAS have no type of status for me,



## Statement of FC/AM

- ⑥ On 1-31-22 Plaintiff received a response to Grievance #960217 From Defendant MINDY ANDRETTI who is the Grievance Coordinator,
- ⑦ Plaintiff Appealed Defendant ANDRETTI response on 1-31-22 to Defendant MICHAEL ZAKEN
- ⑧ On 3-1-22 Plaintiff received a Grievance Denial From Defendant ZAKEN
- ⑨ On 3-4-22 Plaintiff Appealed Defendant ZAKEN response to Defendant DORINA VARNER Chief Grievance Coordinator
- ⑩ On 5-2-22 Plaintiff received a response From Defendant DORINA VARNER, Assistant Keri Moore who signed for VARNER
- ⑪ All Defendants 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, Violated Plaintiff DUE PROCESS RIGHTS 1st 4th 5th 8th 14th Amendment RIGHTS AND 'ADA' RIGHTS AT 42 U.S.C. §§ 12101-12213 AND my mental illness ACT 42 U.S.C. §§ 10801-07 (PAINI ACT) AND ALSO A VIOLATION OF THE D.O.C. POLICY DC ADM 802 SECTION 2- ADMINISTRATIVE HEARINGS,

## STATEMENT OF CLAIM

(22) Defendant Michele Henry who is the Attorney General AND the over seer of the Entire D.O.C. BUT Allowed knowingly Too Albu Plaintiff to Be Housed on the old Deathrow Block under A Illegal Program I.M.V. with the Purpose To receive All types of Funding, with the purpose of splitting the Funding with All the Defendants mentioned in this complaint

(23) All Defendants, 1,2,3,4,5,6,7,8,9,10,11,12 knowingly have personal knowledge that Plaintiff is A mental Health Patient AND Plaintiff is on the Active Mental Health Roster AND is A stability code (C)

(24) Plaintiff Been Illegally confined At SCI Greene, Since 9-28-20, Against Plaintiff Four will, and was Held Hostaged AND Also Kidnapped BY All Defendants who also knowingly conspired with Each other with the Purpose of retaliating Against the Plaintiff For writing AND Filing Grievances to complain About Plaintiff confinement AND the last Time Plaintiff Had A Psychological Assessment was 4-22-20 now BY Plaintiff

## Statement of claim

BEING A mental Health patient stability code (C) on the Active MD/ID roster per access to mental Health care 13.8.1 IF solitary confinement continues beyond 30 DAYS,

(25) Upon placement in the Restrictive Housing or Special Management Housing the Psychology staff shall complete a mental Health Assessment at least Every 30 DAYS and more frequently, if clinically indicated. This mental Health Assessment will be documented with a full DC-560 and memorialization/review of the Embedded SRA. An individual, too continuously be confined in solitary confinement for a period of one year shall, be given at a minimum and annual psychological addressing, the suitability of continued confinement, the (SL5) solitary confinement regardless of current MD/ID roster status and Psychology staff, shall make recommendations to P.R.C. regarding Plaintiff and individuals on long term AC/DC status, who may be released too population and Plaintiff shall receive an average of 4 hours of Group Treatment per week per policy, Plaintiff, wasn't receiving none of that

## Statement of claim

② This is why PLAINTIFF is Filing this 1983 civil suit complaint, For Illegal confinement in the (SLS) Solitary confinement on the Illegal I.M.U. Program, on the Old Death Row Block as a retaliation tactic by all Defendants mentioned 1 to 12, because not only are all Defendants 1 to 12 are violating PLAINTIFF DUE process but also PLAINTIFF 1st 4th 5th 8th 14th Amendment rights and violations of PLAINTIFF Federal Rights "Americans" with Disabilities Acts (A.D.A.) Mental Health Illness Act 42 U.S.C. §§ 10801-07 (PAINI ACT)

## FACTS

② That in violation of PLAINTIFF's 1st 4th 5th 8th 14th Amendment Right to the United States constitution, Article I, sections 13, 20 and 24 of the Pennsylvania constitution title 37 PA code section 93.11(b) and Pennsylvania Department of corrections Administrative Directive 802 (Administrative Custody procedures) PLAINTIFF was unconstitutionally and unlawfully confined in the (SLS) Solitary confinement by all Defendants 1 to 12

# FACS

(28) THAT AS A PRISONER IN GENERAL POPULATION PLAINTIFF WOULD HAVE FREEDOM OF MOVEMENT WITHIN THE PERIMETER FENCE, NOW PLAINTIFF WAS VIRTUALLY UNRESTRICTED. PLAINTIFF HAD ACCESS TO THE EXERCISE YARD THREE TIMES DAILY FOR APPROXIMATELY  $3\frac{1}{2}$  HOURS OF DAILY OUT DOOR EXERCISE. PLAINTIFF COULD VISIT THE PRISON LAW LIBRARY AT LEAST THREE TIMES PER WEEK. PLAINTIFF HAD ACCESS TO THE GYM, WEIGHT ROOM, ISLAMIC STUDY CLASSES JU-MATT EVERY FRIDAY SCHOOL, EAT IN THE DINNING HALL, SPEND UP TO \$65.00 PER WEEK AT THE PRISON COMMISSARY ON FOOD ITEMS GROCERIES CLOTHING, AND OTHER ITEMS. PLAINTIFF COULD MAKE PHONE CALLS TO FAMILY FRIENDS AND ATTORNEY'S, AND THE MOSQUE SCIENCE TEMPLE UP TO THREE TIMES A DAY. PLAINTIFF COULD RECEIVE CONTACT VISITS IN THE VISITING ROOM. PLAINTIFF WAS PERMITTED TO HAVE IN PLAINTIFF CELL WORD PROCESSOR, TELEVISION, RADIO, CASSETT PLAYER, TABLET AND KEYBOARD. ALL OF PLAINTIFF LEGAL PAPERS, BOOKS AND PERSONAL PAPERS AND ALL PROPERTY PLAINTIFF WAS ALLOWED TO TAKE DAILY SHOWERS AND SHAVE WITH PLAINTIFF OWN RAZOR. DAILY PLAINTIFF WAS ALLOWED TO SOCIALIZE AND MINGLE WITH ALL THE OTHER PRISONERS IN POPULATION.



## FACTS

PLAINTIFF WAS ALLOWED, to AVAIL HIMSELF of the EDUCATIONAL AND ALSO VOCATIONAL PROGRAMS AND WORK AT A JOB AND REMAIN FREE to move ABOUT WITHIN the PRISON FROM APPROXIMATELY 6:30AM WHEN the PLAINTIFF WENT to BREAKFAST in the DINING HALL UNTIL 8:45pm WHEN PLAINTIFF WAS CONFINED to PLAINTIFF cell for the NIGHT

② PLAINTIFF IS PROTECTED BY § 504 OF THE REHABILITATION ACT OF 1973 29 U.S.C. § 794 (A) AND BY TITLE 11 OF THE AMERICANS WITH DISABILITIES ACT 42 U.S.C. § 12131, et seq. The Rehabilitation Act was created to apply to FEDERAL EXECUTIVE AGENCIES, INCLUDING the BUREAU OF PRISONS AND to any program that receives FEDERAL FUNDING THE "ADA" WAS CREATED TO REGULATE STATE AND LOCAL GOVERNMENT programs even those that ~~do~~ not receive Federal Funding

③ The Supreme Court recently held in GOODMAN v. GEORGIA that Title 11 of the "ADA" VALIDLY ABROGATES state sovereign immunity AS LEAST INsofar AS IT creates A private CAUSE OF ACTION FOR DAMAGES FOR CONDUCT that ACTUALLY VIOLATES the Fourteenth Amendment In the prison context, this means that A DISABLED

## FACTS

prisoner who is incarcerated in state prison may sue the state for monetary damages under the 'ADA' based on conduct that independently violates plaintiff due process clause of the fourteenth Amendment (incorporating the Eighth Amendment's prohibition on cruel and unusual punishment). Thus although the 'ADA' arguably prohibits a broader swath of state conduct than what is barred by the Eighth Amendment, it remains a settled question that plaintiff is disabled and can seek damages for conduct that violates the 'ADA' and the constitution.

③ Plaintiff has exhausted all administrative remedies and plaintiff has no other adequate remedy at law, but to file this 1983 civil suit.

③ The other's report claim, plaintiff has made numerous efforts to have this fabricated and erroneous other's report removed from plaintiff's file by the defendants 1 to 12 and these defendants knowingly used false, fabricated and erroneous information to keep plaintiff



# FACTS

In the (SLS) solitary confinement status as a means of punishment

(33) All Defendants mentioned at all times in this complaint 1 to 12 subjects PLAINTIFF to cruel unusual and barbarically in humane punishments that shock the conscience and are a gross affront and insult to civilized standards of decency

(34) PLAINTIFF is being purportedly confined in administrative custody for PLAINTIFF own protection see All Appeals/Decisions is subjected to punitive and disciplinary conditions of confinement and PLAINTIFF is being severely punished in the absence of any misconducts or violation of the Institutional Rules or regulations punishments in the absence of misconducts is cruel and unusual punishment

(35) PLAINTIFF is completely denied and deprived of the rights and privileges PLAINTIFF enjoyed as a prisoner in general population

(36) PLAINTIFF was confined in the (SLS) solitary confinement cell 23 hours per day Monday

## FACTS

Through Friday AND 24 hours per Day on Saturday AND SUNDAY

(37) PLAINTIFF WAS DENIED ADEQUATE OUT DOOR EXERCISE PLAINTIFF ONLY OUT DOOR EXERCISE CONSISTS OF BEING TAKEN FROM PLAINTIFF CELL WITH HANDS CUFFED BEHIND PLAINTIFF BACK AND LOCKED INSIDE A DOG KENNEL TYPE CAGE, COMPLETELY ENCLOSED WITH WIRE FENCING, ON ALL SIDES AND TOP, MEASURING 15 FEET LONG BY 15 FEET WIDE FOR ONE HOUR PER DAY MONDAY THROUGH FRIDAY THE DOG KENNEL CAGES, HAS NOTHING IN IT AND EXERCISE IS LIMITED BY JUST PACING BACK AND FORTH

(38) PLAINTIFF WAS COMPLETELY DENIED DAILY PHONE CALLS

(39) PLAINTIFF WAS DENIED CONTACT VISITS AND NON CONTACT VISITS

(40) PLAINTIFF WAS DENIED MEDICAL TREATMENT

(41) PLAINTIFF WAS DENIED ADEQUATE FOOD FOOD PORTIONS HAVE BEEN REDUCED PLAINTIFF WAS FED COLD FOOD ON DIRTY RUBBER TRAYS

# FACTS

(42) PLAINTIFF WAS DENIED ACCESS TO THE PRISON LAW LIBRARY AND THEN BEING DENIED ACCESS TO THE COURTS BY BEING DENIED ACCESS TO THE LAW LIBRARY BOOKS PLAINTIFF NEEDED TO ASSIST PLAINTIFF IN PREPARING AND PROSECUTING APPEALS, POST CONVICTIONS AND FEDERAL HABEAS CORPUS PETITIONS

(43) THE PUNITIVE AND UNHEALTHY CONDITIONS OF PLAINTIFF CONFINEMENT IN THE (SL5) SOLITARY CONFINEMENT ARE AGGRAVATING AND WORSENING PLAINTIFF PREVIOUSLY MENTAL HEALTH DIAGNOSES ANXIETY, DEPRESSION, PTSD, EARLY STAGES, ADDITIONALLY, PLAINTIFF IS NOW SUFFERING FROM SYMPTOMS OF, BEHAVIORS OF INTENSE PARANOIA, EXTREME AGITATION, RAPID EMOTIONAL CHANGES, DELUSIONS AND HALLUCINATIONS, INTERMITTENT GRUNTING AND INCOHERENTLY SCREAMING FOR NO APPARENT REASON, ALONG WITH RELIGIOUS AND RACIAL EPITHETS PLAS FOR PROTECTION, DON'T LET THEM KILL ME, FROM INCREASED DUE TO THE PUNITIVE AND BARBARIC CONDITIONS OF PLAINTIFF SOLITARY CONFINEMENT

(44) THAT ALL DEFENDANTS MENTIONED 1 TO 12 AT ALL TIMES IN THIS COMPLAINT SUBJECTS PLAINTIFF TO ISOLATION, SEGREGATION, AND SENSORY DEPRIVATION THAT IS DELIBERATELY DESIGNED

# FACTS

AND INTENDED TO IMPAIR AND WEAKEN PLAINTIFFS PHYSICAL AND MENTAL HEALTH ALL DEFENDANTS MENTIONED IN THIS COMPLAINT AT ALL TIMES 1 to 12 DENY'S AND DEPRIVES PLAINTIFF OF PHONE CALLS too FAMILY, FRIENDS AND ATTORNEYS AND ALSO DEPRIVES PLAINTIFF OF VISITS CONTACT AND NON-CONTACT VISITS ALSO DENY PLAINTIFF THE USE OF A RADIO, TELEVISION, AND PREVENTS PLAINTIFF FROM SOCIALIZING WITH OTHER PRISONERS AND CONFINES PLAINTIFF IN A CONCRETE BOX OF A CELL FOR UP TO 24 HOURS A DAY ON WEEKENDS AND 23 HOURS A DAY ON WEEKDAYS

(45) THE PLAINTIFF WHO IS FROM PHILADELPHIA AND BLAIR COUNTY IS HELD IN VIRTUAL INCOMMUNICADO FROM FAMILY AND FRIENDS

(46) THAT ALL DEFENDANTS MENTIONED AT ALL TIMES 1 to 12 IN THIS COMPLAINT IS ALL CONSPIRING WITH THIS UNCONSTITUTIONALLY USES OF THE (SL5) SOLITARY CONFINEMENT REGIME TO PUNISH PLAINTIFF AND RETALIATE AGAINST PLAINTIFF BECAUSE PLAINTIFF WRITES GRIEVANCES too COMPLAIN ABOUT PLAINTIFF CONFINEMENT WHICH PLAINTIFF HAVE A RIGHT too DO SPECIALLY IN GOOD FAITH

## FACTS

(47) That PLAINTIFF WAS PLACED ON THE OLD DEATH ROW BLOCK ON 9-28-20 PER OTHERS REPORT MISCONDUCT # D047303 WITH THE PURPOSE OF, THE FACILITY HAS AN OPERATIONAL NEED, APPROPRIATE BED SPACE TO ASSIGN PLAINTIFF TO VC STATUS AND HOUSE IN RTHU SETTING IN THE ABSENCE OF ANY MISCONDUCT OR ANY VIOLATIONS OF INSTITUTIONAL RULES OR ANY REGULATIONS, PLAINTIFF IS JUST USING THIS AS EVIDENCE TO SHOW THE COURT I WAS PURPOSELY TARGETED WITH THE PURPOSE OF RETALIATION.

(48) That ALL DEFENDANTS 1 to 2 MENTIONED AT ALL TIMES IN THIS COMPLAINT ACQUIESCES IN THE STORM TROOPER TACTICS OF ALL THE DEFENDANTS MENTIONED AT ALL TIMES IN THIS COMPLAINT 1 to 2 SUBORDINATES THE GUARDS AND P.R.C. AND CHIEF HEARING EXAMINER, CHIEF GRIEVANCE COORDINATOR, SUPERINTENDENT, ATTORNEY GENERAL IN CONFINING PLAINTIFF IN SOLITARY CONFINEMENT IN VIOLATION OF THE TITLE 37 P.A. CODE SECTION 93.11(b) AND DC-ADM 802.

(49) All DEFENDANTS MENTIONED AT ALL TIMES IN THIS COMPLAINT 1 to 2 All there subordinates on the P.R.C. SUPERINTENDENT, GRIEVANCE

## FACTS

COORDINATOR, ATTORNEY GENERAL, CHIEF GRIEVANCE COORDINATOR, CHIEF HEARING EXAMINER TOGETHER HAVE CONSPIRED AMONGST THEMSELVES AND WITH OTHERS TO CARRY OUT AN UNWRITTEN AND CRIMINALLY CORRUPT POLICY OF CAUSING PRISONERS AND PLAINTIFF WHO ARE ELIGIBLE FOR POPULATION TO BE CONFINED IN SOLITARY CONFINEMENT OF FALSIFIED FRAUDULENT AND PRETEXTUAL REPORTS SOLELY TO PREJUDICE PRISONERS AND PLAINTIFF INCLUDING PLAINTIFF IN BEING CONSIDERED FOR POPULATION

5) THAT DC-ADM 802 GOVERNS THE PLACEMENT OF PRISONERS AND PLAINTIFF IN SOLITARY CONFINEMENT IN THE (SLS) DC-ADM 802 CONTAINS THE WRITTEN PROCEDURES REQUIRED BY TITLE 37 P.A. CODE SECTION 93.11(b) THAT THE DEPARTMENT OF CORRECTIONS AND ALL OF ITS AGENTS OFFICERS SERVANTS AND EMPLOYEES MUST COMPLY WITH IN PLACING PRISONERS AND PLAINTIFF IN IAC STATUS SOLITARY CONFINEMENT SPECIALLY MENTAL HEALTH PATIENTS, LIKE THE PLAINTIFF

6) THAT SAID DC-ADM 802 AND TITLE 37 P.A. CODE SECTION 93.11(b) PROVIDES PLAINTIFF WITH A DUE PROCESS PROTECTED LIBERTY INTEREST IN REMAINING IN GENERAL POPULATION ONCE



## FACTS

PLAINTIFF MODIFIES PLAINTIFF BEHAVIOR IN THE ACCORDANCE WITH THE CRITERIA IN DC-ADM 802 SECTION VI, C, 3, A THROUGH F (PAGE 802-5)

② THAT PLAINTIFF SUMMARY DENIAL FROM GENERAL POPULATION 9-14-21, 9-21-21, 1-7-22, 3-3-22, 3-8-22, IS IN VIOLATION OF PLAINTIFF PROTECTED LIBERTY INTEREST TO GO TO GENERAL POPULATION, VIOLATED PLAINTIFF RIGHTS TO DUE PROCESS OF LAW, UNDER BOTH STATE AND FEDERAL CONSTITUTIONS, DENIED PLAINTIFF DUE PROCESS OF LAW IN VIOLATION OF THE TITLE 37 USC CODE SECTION 93.11(b) AND WAS CONTRARY TO DC-ADM 802 SECTION VI, A.1, A THROUGH J WHICH DESCRIBES THE 10 SPECIFIC REASON(S) THAT ALLOW THE SHIFT COMMANDER TO REMOVE A PRISONER FROM GENERAL POPULATION AND CONFINED THE PLAINTIFF IN A C STATUS SOLITARY CONFINEMENT.

③ ON 9-14-21, 1500 HOURS PLAINTIFF FINALLY RECEIVED A NEW FALSIFIED OTHER'S MISCONDUCT REPORT # D635094 WITHOUT ALL THE PROPER SIGNATURES AND IT STATES PER PNC DATED 9-14-21 PLAINTIFF JOHNSON RECEIVED A TIME CUT ON REMAINING DC TIME. THE INMATE/PLAINTIFF IS IN DANGER FROM SOME PERSON(S) IN THE FACILITY.



## FACTS

AND cannot be protected by alternative measures AND/OR the PLAINTIFF is in DANGER to some person(s) in the FACILITY AND the person(s) cannot be protected by alternative measures, AS A result PLAINTIFF will be assigned AC status on the I M V. PLAINTIFF never been in the S M V or PLAINTIFF never been on R.N.L.

④ not only is the ABOVE QUOTED other's MISCONDUCT report #D635094 are completely FALSE, FABRICATED AND FRAUDULENT, BUT IT is not BASED on ANY of the 10 reasons SPECIFIED IN DC-ADM 802 section VI, A, 1, D THROUGH J (at PAGES 802-2, 802-3)

⑤ on 9-14-21, 9-21-21 PLAINTIFF received A HEARING before the following DEFENDANTS, which WAS AUDIO AND VIDEO recorded, consisting of DEFENDANTS, BUZAS, MALANOSKI, SWITZER, COLEMAN PARKER, DIALESA, HINTERMEYER, This HEARING WAS ostensibly to Determine whether or not For PLAINTIFF to FIGHT For PLAINTIFF Freedom, AND prove AND show that, there ~~was~~ WAS Insufficient REASONS For keeping PLAINTIFF in solitary confinement on this ILLEGAL Death Row Block, AND ALSO this ILLEGAL I.M.V. Program, BEING Ran under the ILLEGAL U.S.I. DOC Security Levels

## FACTS

Housing Units Procedure manual/Section 3 - Intensive Management Unit (I.M.U.) none of this was approved by the legislative Bureau in Harrisburg PA, as it does not establish a standard of conduct

⑥ Plaintiff have a protected Liberty Interest to be released to General Population and to continue to possess and exercise the rights and privileges specified in the preceding paragraph numbers, 53 pursuant to title 37 PA code section 93.11(b) which states that confinement in a restricted housing unit (RHU/SLS) other than under procedures established for inmates discipline will not be done for punitive purposes, the Department of the corrections will maintain written procedures which describe the reason(s) for housing Plaintiff and inmates in the (RHU/SLS) and require due process in accordance with established principles of law for Plaintiff and inmates who is housed in the (RHU/SLS) (Emphasis added)

⑦ That the written procedures which describe the reasons and govern the procedures for denying Plaintiff from General Population and placing Plaintiff in solitary confinement under

# FACTS

AC STATUS ARE CONTAINED IN DC-ADM 802

58) PLAINTIFF WAS, SUMMARILY AND UNCONSTITUTIONALLY DENIED TO GO TO GENERAL POPULATION AND PLACED IN SOLITARY CONFINEMENT AND THAT PLAINTIFF WAS DENIED A HEARING, BY BEING PLACED IN SOLITARY CONFINEMENT, AND PLAINTIFF WILL SHOW AND PROVE A PATTERN OF LIES AND FABRICATION AND FALSIFYING OF ALL TYPE OF OTHER MISCONDUCT REPORTS, AND ALSO FALSIFIED MISCONDUCTS, AS A RETALIATION, FOR PLAINTIFF EXERCISING PLAINTIFF RIGHTS, BY WRITING GRIEVANCES, TO COMPLAIN ABOUT PLAINTIFF CONFINEMENT ALL IN GOOD FAITH

59) PLAINTIFF DIDN'T COMMIT ANY TYPE OF MISCONDUCT NOR VIOLATE ANY INSTITUTIONAL RULES OR REGULATIONS, PRIOR TO BEING PLACED IN SOLITARY CONFINEMENT

60) PLAINTIFF WAS IMMEDIATELY PLACED UNDER CONDITIONS OF PUNITIVE DISCIPLINARY CONFINEMENT, WHEN PLAINTIFF WAS PLACED IN SOLITARY CONFINEMENT PLAINTIFF WAS STRIPPED OF ALL THE RIGHTS AND PRIVILEGES

## FACTS

⑥ It's a known fact that Defendant BUZAS Don't care what happens to Plaintiff AND Defendant BUZAS, Don't CARE ABOUT Plaintiff well being, ~~or~~ OR Defendant BUZAS OFFICERS, Because to state proof AND to also substantiate Plaintiff claim, It's a known FACT AND on file that Defendant BUZAS, WAS ON B-Block In population, when C.O. MS. NORRIS, WAS ATTACKED, BY A Inmate, AND Defendant BUZAS, WAS HIDING under the steps, AND never called on the RADIO For help, Defendant BUZAS, just watched, C.O. MS. NORRIS Defend herself, until help came, AND C.O. MS. NORRIS, WAS INJURED, AND Defendant BUZAS, ran OFF the Block, when the door WAS opened then on K-Block In population, Defendant BUZAS, watched AND witnessed C.O. MS. MIDDLETON BEING DRAGGED BY two Inmates, with the Attempt of her too BE RAPED AGAIN Defendant BUZAS DID nothing AT ALL, Defendant BUZAS, D. Don't Even RADIO For no help,

⑦ It's a known fact, that Defendant ZAKEN, knowingly knew, that Defendant BUZAS Allowed this Horrific ACT take place with C.O.'s MS. NORRIS, AND MS. MIDDLETON, AND Defendant ZAKEN, still appointed Defendant BUZAS the

## FACTS

Deputy position of security of the Entire Jail at SCI Greene AND DEFENDANT RUZAS DIDNT take no type of Test too see IF He is qualified, to have the Deputy of security position,

(63) It's A Known Fact, that All DEFENDANTS 1 to 12 Dont care About or respect no mental health patient like the PLAINTIFF AND To substantiate PLAINTIFF claims About All DEFENDANTS 1 to 12, civil case no 1:13 cv-0063 Disability Rights network of Pennsylvania v. John Wetzel settle AGREEMENT WAS VIOLATED

(64) PLAINTIFF wants DEFENDANTS 1 to 12 pass prior Records AND there prison personnel File For criminal convictions AND prior BAD ACTS, AND Also character Evidence AND All pass misconduct History, For state AND Federal civil suits, to be saved AND used AS EVIDENCE UNTIL All court proceedings Are Final

(65) All DEFENDANTS 1 to 12 mentioned In this complaint At All Times knowingly VIOLATED PLAINTIFF Federal Rights, Under the Federal protection AND ADVOCACY For



# FACTS

INDIVIDUALS with mental Health Illness  
 ACT 42 U.S.C. §§ 10801-07 (PAIMI ACT) AND  
 ALSO In violation of the Disability Rights  
 Network of Pennsylvania Settlement Agreement  
 Release and a violation of PLAINTIFF's other  
 Federal Rights under Americans with  
 Disability Act (ADA) 42 U.S.C. §§ 12101-12213

⑥ Now PLAINTIFF suffers from symptoms of  
 Behaviors of Intense PARANOIA, Extreme  
 AGITATION, RAPID Emotional changes, DELUSIONS  
 AND HALLUCINATIONS, INTERMITTENT GRUNTING  
 AND Incoherently screaming for no  
 APPARENT reason, along with religious AND  
 RACIAL Epithets. Plans for protection Don't  
 let them Kill me

⑦ It's a known fact that DEFENDANTS 2 to 10  
 DIDN'T review PLAINTIFF's (SLS) solitary  
 confinement status placement with in the  
 72 hours per DC-ADM 862 policy

⑧ PLAINTIFF WAS ON CAMERA movement which  
 means a camera audio video, would sit in  
 front of PLAINTIFF cell 24 hours a day 7 days  
 a week, AND any time PLAINTIFF would  
 leave the cell, there would be a hand

# FACTS

Held AUDIO VIDEO recording camera on PLAINTIFF so PLAINTIFF would like all AUDIO VIDEO recordings to be used as EVIDENCE also, until trial is over

① PLAINTIFF was DANPOSE with P.T.S.D While In the (SLS) solitary confinement on the OLD Death Row Block, In the ILLEGAL I.M.O. PROGRAM

## Relief

\$350,000 AGAINST ALL DEFENDANTS mentioned AT ALL TIMES In this COMPLAINT 1 to 12 jointly AND severally

① PLAINTIFF seeks punitive DAMAGES, compensatory DAMAGES, mental anguish, Emotional Distress Retaliation, my due process, nominal DAMAGES, \$350,000 From all DEFENDANTS mentioned In this COMPLAINT DEFENDANTS 1 to 12 jointly AND severally

② PLAINTIFF WANTS \$1,000 per DAY From all DEFENDANTS mentioned In this COMPLAINT All times 1 to 12 For Every DAY PLAINTIFF spent In the (SLS) solitary confinement on the OLD Death Row Block AND PLAINTIFF time spent In



## Relief

THE ILLEGAL I.M.U. PROGRAM, FOR PUNITIVE DAMAGES, MENTAL ANGUISH, EMOTIONAL DISTRESS, RETALIATION, DUE PROCESS AND FOR ALSO VIOLATING PLAINTIFF MENTAL HEALTH DISABILITY ACT (ADA)

⑬ PLAINTIFF ALSO SEEKS WHAT EVER THE COURTS DEEM NECESSARY FOR ALL DEFENDANTS 1 to 12 FOR VIOLATING PLAINTIFF'S 1st 4th 5th 8th 14th AMENDMENT RIGHTS, AND ALSO PLAINTIFF'S FEDERAL RIGHTS UNDER THE FEDERAL PROTECTION AND ADVOCACY FOR INDIVIDUALS WITH MENTAL ILLNESS ACT 42 U.S.C. §§ 10801-07 (PAIMI ACT) AND PLAINTIFF'S FEDERAL RIGHTS UNDER AMERICANS WITH DISABILITY ACT (ADA) 42 U.S.C. §§ 12101-12213

⑭ PLAINTIFF SEEK JURY TRIAL ON ALL ISSUES IN THIS COMPLAINT

⑮ PLAINTIFF ALSO SEEKS RECOVERY OF THE COST IN THIS CIVIL SUIT AND ANY ADDITIONAL RELIEF THIS COURT DEEM JUST PROPER AND ALSO EQUITABLE

⑯ PLAINTIFF SEEKS A SAIL OF PLAINTIFF'S CHOOSING AND A JOB OF PLAINTIFF CHOOSING

I ASK THAT the clerk's office of the U.S. court house  
 To place the following on record as evidence  
 Along with Plaintiff's complaint please:

Plaintiff Request to staff member Dated 1-21-22  
 Plaintiff Requests to staff Dates, 2-3-22,  
 1-21-22, 3 PAGES OF CONDITIONS OF CONFINEMENT  
 2 PAGES OF THIS STEP DOWN PROGRAM FOR PLAINTIFF  
 When SC I Green sent Plaintiff to SC Benner  
 TWP 2 PAGE letter Dated 1-14-22 PLAINTIFF  
 sent to the Ex-Secretary of corrections 7  
 COPIES OF DC-141, PART 4 PLAINTIFF received  
 with the following Dates 5-18-21 8-17-21  
 3-8-22 9-14-21 9-14-21 3-8-22 3-8-22 1 copy  
 OF DC-141, PART 3 Dated 9-14-21 1 copy OF A  
 response Dated 3-3-22, From Defendant  
 Moslak, 1 copy OF A response Dated 1-7-22  
 From Defendant Ziaken, 1 copy OF the  
 other MISCONDUCT REPORT DATED 9-14-21,  
 2 PAGES OF THIS ILLEGAL I.M.U. PROGRAM DATED  
 5-5-22, 1 copy OF the ILLEGAL I.M.U. services  
 AND privileges chart, 1 copy OF the ILLEGAL  
 I.M.U. weekly schedule, 1 copy OF the  
 ILLEGAL I.M.U. weekly schedule DATED  
 4-25-22, 7 PAGES OF the ILLEGAL I.M.U.  
 HANDBOOK DATED 5-4-22, 1 copy OF Final  
 Appeal Decision Dismissal DATED 5-2-22

1 COPY OF PLAINTIFF GRIEVANCE APPEAL DATED 1-31-22  
 TO DEFENDANT ZAKEN 1 COPY OF DC-14/PART  
 4 DATED 10-27-20 1 COPY OF THE OTHER MISCONDUCT  
 REPORT #DO47303 DATED 9-28-20 SHOWING  
 PLAINTIFF SHOULD HAVE BEEN RELEASED TO THE  
 GENERAL POPULATION 1 COPY OF THE INITIAL REVIEW  
 RESPONSE FROM DEFENDANT ANDRETTI DATED  
 1-31-22 1 COPY OF A INITIAL LEVEL EXTENSION  
 DATED 1-14-22 2 PAGE COPY OF PLAINTIFF  
 GRIEVANCE #960217 DATED 12-21-21 1 COPY  
 OF A RESPONSE FROM DEFENDANT ZAKEN DATED  
 3-1-22 2 PAGES OF PLAINTIFF APPEAL TO  
 DEFENDANT ZAKEN DATED 12-23-21 1 COPY  
 OF PLAINTIFF APPEAL TO DEFENDANT MOSLAK  
 DATED 1-13-22 1 COPY OF DEFENDANT  
 COLEMAN TRYING TO TAKE ALL PLAINTIFF  
 LEGAL AND ALL PAPERWORK DATED 5-26-21  
 1 COPY OF A INITIAL REVIEW RESPONSE DATED  
 1-12-22 TO PLAINTIFF GRIEVANCE #960633  
 1 COPY OF A RESPONSE TO PLAINTIFF APPEAL FROM  
 DEFENDANT ZAKEN DATED 2-9-22 1 COPY  
 OF FINAL APPEAL DECISION DISMISSAL RESPONSE  
 FROM DEFENDANT VARNER/MOORE DATED  
 5-13-22 2 PAGES OF A COPY OF PLAINTIFF  
 GRIEVANCE #960633 DATED 12-21-21  
 1 COPY OF DEFENDANT ANDRETTI PUTTING

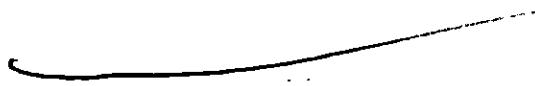
PLAINTIFF on Grievance restriction Dated 5-11-22,  
 1 copy of Defendant Laken response to the  
 Grievance restriction of PLAINTIFF as a retaliation  
 ACT to stop PLAINTIFF from Filing Grievances  
 Dated 5-12-22 1 copy of the ILLEGAL  
 I.M.U. Program, Weekly L-Block Laundry  
 Schedule 1 copy of the ILLEGAL I.M.U. Program  
 Weekly Schedule For LC AND LD PODS  
 Dated 10-15-20. A copy of PAGES 2, 3, 4 as  
 Evidence from the PLAINTIFF 1 copy of a  
 motion of Appointment of Counsel For  
 PLAINTIFF Dated 9-14-23 1 copy of a Another  
 Step Down Program For the PLAINTIFF, 1  
 copy of PLAINTIFF Certificate of Completion  
 Dated 3-20-23!

Respectfully submitted  
 AKIL Johnson

9-14-23

9-14-23

(Date)



(Signature of Plaintiff)